

By David Cantz

H.B. 2785

A BILL TO BE ENTITLED

AN ACT

relating to the management of spring flow from the Edwards Aquifer and to the increase of the recharge to and the conservation of the water taken from the Edwards Aquifer located in Kinney, Uvalde, Medina, Bexar, Hays and Comal Counties, Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. GENERAL PROVISIONS. (a) Purpose. The purpose of this Act is to manage the spring flow from the Edwards Aquifer, to increase the recharge to and to conserve water taken from the Aquifer by developing supplemental sources of water, by determining minimum spring flow requirements, by conducting engineering and economic feasibility studies of methods to control the flow from the Comal and San Marcos Springs, by evaluating proposals to artificially control spring flow from the Aquifer, and by initiating a series of fees on recreational and downstream users; and further, to create the Kinney County Underground Water Conservation District, to validate the creation of the Uvalde County Underground Water Conservation District, to create the Edwards Underground Water Conservation District and to create the Edwards Aquifer Coordinating Board.

(b) Findings and Declaration of Policy. It is hereby found and declared that: the management of spring flow from the Edwards Aquifer located in Kinney, Uvalde, Medina, Bexar, Hays and Comal Counties, Texas ("the Aquifer area") is necessary to sustain life and the economic viability of the region; the Edwards Aquifer located in these counties contains between 25-50 million acre feet

of water and approximately one and one-half million people currently reside in the area and depend on water from the Aquifer for all of their water needs; natural annual recharge to the Aquifer has historically ranged from one-half to two and one-half million acre feet and has historically equalled or exceeded the water needs of the people of the area, leaving the Aquifer full and overflowing except during periods of extended drought; overflow from the Aquifer discharging as spring flow has contributed to providing the habitat for several plant and animal species designated as "endangered" or "threatened" by the U.S. Fish & Wildlife Service (USFWS); the United States District Court for the Western District of Texas, Midland/Odessa Division, recently issued an order that these endangered/threatened species should be protected (Case No. MO-91-CA-069) by assuring a continuous flow of water from the Comal and San Marcos Springs ("the Springs") in an amount to be determined by USFWS; if water use from the Aquifer is restricted to a level to assure a natural discharge of water from the Springs during a period of extended drought, serious economic hardships would result for the residents of the Aquifer area and a major portion of the water contained in the Aquifer would be unavailable for their beneficial use; there is a need to provide a continuous water supply for the endangered/threatened species as well as to provide a water supply for state residents below the discharge points of the Springs for those who are dependent on spring flow to provide all or part of their water needs; artificially managing the discharge from the Springs will make a

larger quantity of the water stored and recharged to the Aquifer available for the use of residents of the area, while providing adequate water to preserve the endangered/threatened species and satisfying needs of downstream users; the demand for water from the Aquifer will increase as the population grows; with the expected population growth in the Aquifer area and the accompanying increased water use, the water recharged and stored in the Aquifer will not satisfy all water needs; new political subdivisions of the state should be established with the powers and duties to increase the recharge to the Aquifer, to protect the water quality of the Aquifer, and to promote conservation; and the Aquifer is not an underground river but is a geologic formation containing percolating groundwater.

(c) **Definitions.** In this Act, (1) "Aquifer" means that portion of the Edwards Aquifer located within the following six counties: Hays County, Bexar County, Comal County, Medina County, and Uvalde County; provided, however, that it does not include any territory within the Barton Springs-Edwards Aquifer Conservation District.

(2) "Board" means the Texas Water Development Board.

(3) "Commission" means the Texas Water Commission.

(4) "Department" means the Parks & Wildlife Department.

(5) "Local district" means the Kinney County Underground Water Conservation District, the Uvalde County Underground Water Conservation District, the Medina County Underground

Water Conservation District, and the Edwards Underground Water Conservation District.

SECTION 2. DEVELOPMENT OF A SUPPLEMENTAL SURFACE WATER SUPPLY. (a) All cities with a population greater than 250,000 located over the Aquifer are hereby directed to develop a supplemental surface water supply to reduce its reliance on the Aquifer as a sole source of drinking water.

SECTION 3. MANAGEMENT OF THE EDWARDS AQUIFER. (a) The Department shall conduct a study of available information to determine minimum spring flow requirements for the Comal and San Marcos Springs which, based on its best professional judgment, will preserve the endangered/threatened species found below the discharge of the Springs. The Department shall provide the results of the study to the United States District Court for the Western District of Texas, Midland-Odessa Division and to the USFWS.

(b) The Board shall conduct a study to determine minimum spring flow requirements from the Comal and San Marcos Springs which, based on its best professional judgment, will satisfy the water needs of the downstream users located in the counties all or part of which are in the Guadalupe River Basin downstream of the Springs ("the downstream users"), including the minimum water needs of downstream bays and estuaries, taking into account those additions of water which occur in the rivers below the Springs. The Board shall prior to the 74th Legislative Session, report the results of the study to the Governor, Lt. Governor, Speaker of the House of Representatives and Department.

(c) The Board shall complete as expeditiously as possible, engineering and economic feasibility studies of methods to (1) control the flow from the Springs to retain water in the Aquifer during periods of high recharge when water in excess of the needs of downstream users naturally flows from the Aquifer; and (2) to provide discharge from the Springs during extended droughts when adequate water to protect the endangered/threatened species and/or to satisfy the downstream users is not naturally available.

(d) The Board shall evaluate suggestions made at legislative hearings of means to artificially control spring flow from the Aquifer, including but not limited to, controlling flow from the Aquifer during periods of excess to retain water for release during short-or-long-term drought by elevating the existing dams located below the Springs or by installing flow control valves to regulate discharge, and providing for an adequate supply of water to protect the endangered/threatened species and to provide water for downstream users during periods of drought by augmenting the spring flow from wells or a surface water supply.

(e) The Department and the Commission shall apportion, assess, and recover the reasonable costs of administering the spring flow management program in the Aquifer from all users of water including residential, commercial and industrial downstream users and recreational users, including fishermen, who use the water between the discharge points of the Comal and San Marcos Springs and its destination in the Gulf of Mexico.

(f) The Department shall assess the following fees on users of water for recreational and fishing purposes in order to support the benefits such users are anticipated to receive from spring flow augmentation and management:

(1) A fee of _____ for each boat registered with the Department in any county located in whole or in part in the Guadalupe River Basin downstream of Comal or San Marcos Springs.

(2) A fee of _____ for each non-commercial fishing license issued by the Department in any county located in whole or in part in the Guadalupe River Basin downstream of Comal or San Marcos Springs.

(3) A fee of _____ for each commercial fishing license issued by the Department in any county located in whole or in part in the Guadalupe River Basin downstream of Comal or San Marcos Springs.

(4) A fee equivalent to ____% of all fees collected by any park district created pursuant to Act of the 76th Legislature, Ch. 1005, which ____% fee shall be imposed by the district annually in addition to any other fees collected by the district and paid to the Department on or before December 31 of each year.

The Department shall adopt rules to provide for collection of the foregoing fees.

(g) The Commission shall assess and collect an annual fee of \$____ per acre foot for all water taken pursuant to permit or other

authority from the Commission, for any purpose other than domestic, livestock, or irrigation, between the discharge points of the Springs and the Gulf of Mexico. The Commission shall adopt rules to provide for the collection of this fee and payment of proceeds of fees to the Department.

(h) The Department shall utilize the fees collected as follows: (1) it shall pay to the Board on a quarterly basis 10% of the fees for the costs of economic and engineering studies and technical assistance provided by the Board; (2) it shall use 40% of the fees collected to implement the recommendations of the Board to manage the spring flow; (3) it shall provide, on an annual basis, the remaining 50% of the fees collected to the Edwards Aquifer Coordinating Board created under Section 7 of this Act for its use to enhance recharge to the Aquifer and to promote conservation practices.

SECTION 4. CREATION OF THE KINNEY COUNTY UNDERGROUND WATER CONSERVATION DISTRICT. (a) **Creation.** Under article XVI, § 59 of the Texas Constitution, the Kinney County Underground Water Conservation District is created, subject to approval at confirmation elections to be held in the district. The district is a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges and functions provided by this Act, and by Chapter 52 of the Water Code.

(b) **Definition.** In this chapter "district" means the Kinney County Underground Water Conservation District.

(c) **Boundaries.** The boundaries of the district are co-extensive with the boundaries of Kinney County, Texas.

(d) **Finding of Benefit.** All of the land and other property included within the boundary of the district will be benefitted by the work and projects that are to be accomplished by the district under powers conferred by article XVI, § 59 of the Texas Constitution. The district is created to serve a public use and benefit.

(e) **Purpose, Powers and Duties of the District.**

(1) The district's purpose is to provide for the conservation, preservation, protection, recharge, and prevention of waste of the underground water of the Aquifer within the above-stated boundaries consistent with the objective of article XVI, § 59 of the Texas Constitution.

(2) The district has all of the rights, powers, privileges, authority, functions, and duties provided by the general laws of this state, including Chapters 50 and 52 of the Water Code, applicable to underground water conservation districts created under article XVI, § 59 of the Texas Constitution. This Act prevails over any provision of general law that is in conflict or inconsistent with this Act.

(3) The rights, powers, privileges, authority, functions and duties of the district are subject to the continuing right

of the supervision of the state to be exercised by and through the Texas Water Commission.

(f) Board of Directors.

(1) The district is governed by a board of five directors.

(2) Temporary directors serve until initial permanent directors are elected under Section 4(h) of this Chapter.

(3) Initial permanent directors serve until directors are elected under Section 4(i) of this Chapter.

(4) Directors other than temporary and initial permanent directors serve staggered four-year terms.

(5) Each director must qualify to serve as director in the manner provided by Sections 51.078 and 51.079 of the Water Code.

(6) A director serves until the director's successor has qualified.

(g) Temporary Directors.

(1) The temporary board of directors for the district is composed of:

(i) _____;

(ii) _____;

(iii) _____;

(iv) _____;

(v) _____;

(2) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a

person to fill the vacancy. If at any time there are fewer than three qualified temporary directors, the Texas Water Commission shall appoint the necessary number of persons to fill all vacancies on the Board.

(h) Confirmation and Initial Directors' Election.

(1) Within 180 days after the effective date of this Act, the temporary board of directors for the district shall call and hold an election, confirm establishment of the district, and elect the district's five initial directors.

(2) A person who desires to be a candidate for the office of initial director may file an application with the temporary board to have the candidate's name printed on the ballot as provided by Section 51.075 of the Water Code.

(3) At the confirmation and the initial directors' election, the temporary board of directors shall have the names of the five persons serving as temporary directors placed on the ballot together with the name of any candidate filing for the office of director as provided by Subsection (2) of this section and blank spaces to write in the names of other persons. The temporary directors, at the time the vote is canvassed, shall declare the five persons who receive the most votes to be elected as the initial directors and shall include the results of the directors' election in its election report to the Texas Water Commission.

(4) Section 41.001(a) of the Election Code does not apply to a confirmation and initial directors' election held as provided by this section.

(5) Except as provided by this section, a confirmation and initial directors' election must be conducted as provided by Sections 52.058(b)-(g) of the Water Code and Tax Election Code.

(i) Election of Local District Directors. On the first Saturday in May of the second year after the year in which the local district is authorized to be created at a confirmation election, an election shall be held for the election of two directors who shall serve two-year terms and three directors who shall each serve four-year terms. Thereafter, on the same date in each subsequent second year, the appropriate number of directors shall be elected to each of the boards.

(j) Tax Rate. The board of directors may not levy and collect a maintenance tax that exceeds the rate approved by the majority of the qualified voters voting in the election authorizing the tax unless an election is held in the district at which a majority of the qualified voters who vote approve a proposition authorizing a greater rate of assessment.

(k) Tax Allocation. The district shall allocate a minimum of 25% of the taxes collected to the Edwards Aquifer Coordinating Board created in Section 7 of this Act to be used for the purposes set forth in Section 7(c). The taxes shall be paid not later than June 1 of each year.

SECTION 5. VALIDATION OF THE CREATION OF THE UVALDE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT. (a) Under article XVI, Section 59 of the Texas Constitution, the Uvalde County Underground Water Conservation District created by order of the Uvalde County Commissioners Court on ___, and confirmed by election on ___, is validated as a governmental agency and body politic incorporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, duties, and functions provided by this Act and by Chapter 52 of the Water Code. The election of directors and approval of the levy of a maintenance tax at the election held on ___ are hereby validated and confirmed in all respects.

(b) **Definition.** In this Subchapter, "district" means the Uvalde County Underground Water Conservation District.

(c) **Validation.** The creation of the district and all resolutions, orders, and other acts or attempted acts of the board of directors of the district are validated in all respects. The creation of the district and all resolutions, orders, and other acts, or attempted acts of the board of directors of the district are valid as though they had originally had been legally authorized or accomplished.

(d) **Pending Litigation.** This Act does not apply to or affect litigation pending on the effective date of this Act in any court of competent jurisdiction in this state to which the district is a party.

(e) **Tax Allocation.** The district shall allocate a minimum of 25% of the taxes collected to the Edwards Aquifer Coordinating Board created in Subchapter 7 of this Act to be used for the purposes set forth in Section 7.03. The taxes shall be paid not later than June 1 of each year.

SECTION 6. CREATION OF THE EDWARDS UNDERGROUND WATER CONSERVATION DISTRICT. (a) Chapter 99, Acts of the 56th Legislature, Regular Session, 1959 is amended by adding Section 19 to read as follows:

SECTION 19. DISSOLUTION OF EDWARDS UNDERGROUND WATER DISTRICT AND CONVERSION TO EDWARDS UNDERGROUND WATER CONSERVATION DISTRICT. The Edwards Underground Water District (1) shall be dissolved and all its property and funds shall be transferred to the Edwards Underground Water Conservation District within 90 days of the effective date this Act; (2) the district is comprised of those portions of Bexar, Comal and Hays Counties currently in the Edwards Underground Water District; and (3) the district is a governmental agency and body politic corporate, authorized to exercise the powers essential to the accomplishment of the purposes of article XVI, § 59 of the Texas Constitution and to exercise the rights,

powers, duties, privileges and functions provided by this Act and by Chapter 52 of the Water Code.

(b) The existing Board of Directors of the Edwards Underground Water District shall continue to serve as temporary directors of the Edwards Underground Water Conservation District until new directors can be elected pursuant to the provisions of Chapter 52 of the Water Code, which election shall occur on the date next regularly scheduled for election of directors of the Edwards Underground Water District.

(c) Edwards Underground Water Conservation District shall allocate a minimum of 25% of the taxes collected to the Edwards Aquifer Coordinating Board created in Section 7 of this Act to be used for the purposes set forth in Section 7(c). Taxes shall be paid not later than June 1 of each year. The temporary Board of Directors of Edwards Underground Water Conservation District shall transfer 25% of all cash and cash equivalent assets existing on June 1, 1993, to the Edwards Aquifer Coordinating Board not later than December 31, 1993.

SECTION 7. CREATION OF THE EDWARDS AQUIFER COORDINATING BOARD. (a) **Creation.** The Edwards Aquifer Coordinating Board (EACB) is created under and is essential to accomplish the purposes of article XVI, § 59 of the Texas Constitution and shall provide management and technical assistance to local districts and promote conservation and effective management of the Aquifer. The EACB may make recommendations to the local districts; it shall not implement

any plans or programs itself. EACB has only the powers expressly authorized below; has no authority over the local districts.

(b) **Members.** The board of directors of EACB shall have six members including one from the Kinney County Underground Water Conservation District, the Uvalde County Underground Water Conservation District validated by this Act, and the Medina Underground Water Conservation District. Each of the three underground water conservation districts shall select from its board one person to serve on the EACB. The Edwards Underground Water Conservation District may appoint three members from its board of directors to the EACB provided that they reside in and represent the three different counties which comprise that district.

(c) **Purposes.** The EACB has the following purposes:

(1) Identify all potential recharge sites above the Aquifer and undertake studies to determine the amount of recharge that could occur if recharge facilities were installed;

(2) Determine the feasibility of additional techniques or methods to recharge the Aquifer, including but not limited to, brush control, precipitation enhancement and importation of water from outside the Aquifer area;

(3) Evaluate the possible water savings to be achieved through providing technical and financial assistance to irrigators for improving the water use efficiency of their irrigation systems;

(4) Construct recharge facilities and implement the use of such techniques or methods of Aquifer recharge, enhancement and conservation judged to be most beneficial and cost efficient to the management of the Aquifer;

(5) Assist in coordinating activities of all local districts by conducting public meetings to share management plans and provide financial support and technical assistance to local districts which are implementing programs and activities outside their respective counties to benefit the users of water from the Aquifer.

(d) Powers.

(1) The EACB shall have the authority to maintain an office, employ a general manager and such other employees as it may be determined to be necessary, and to exercise such other powers as are reasonably necessary to accomplish the purposes of this Act. This subsection shall not, however, be construed as a grant of regulatory authority to the EACB.

(2) The EACB shall have the authority to own property, but only to the limited extent necessary to effectuate the purposes of this Act.

(3) The EACB shall have the authority to enter into contracts with water districts, conservation districts, cities and towns, counties and municipal and governmental agencies of every kind, both state and federal, and with individuals and private corporations, but only to the limited extent necessary to effectuate the purposes of this Act.

(4) The EACB shall have the authority to receive any gifts, grants or donations made to it.

(5) The EACB may:

(i) Provide technical assistance to the local districts;

(ii) Provide geologic and hydrologic information to the local districts;

(iii) Conduct research;

(iv) Collect data;

(v) Analyze water quality and water levels;

(vi) Develop and distribute educational programs regarding the Aquifer, water quality, and conservation;

(vii) Plan and recommend to the local districts recharge projects, including dam construction and brush clearing;

(viii) Recommend, provide incentives for, and assist municipalities and others with implementation of wastewater reuse programs; and

(ix) Develop, study, and recommend artificial recharge enhancement programs throughout the local districts.

(6) The EACB shall consider and develop plans to protect endangered/threatened species found in Comal or San Marcos Springs. The EACB shall report its recommendations for plans to protect endangered/threatened species to the local districts; it shall not implement plans except upon approval

by local districts. Such plans may include spring flow augmentation through construction and operation of wells, to preserve local industry and protect endangered/threatened species.

SECTION 8. MISCELLANEOUS PROVISIONS. (a) Legislative Review.

The Legislature shall review the progress of all parties under this Act in managing the waters from the Aquifer during each regular legislative session until such time as it determines that the water from the Aquifer is being managed adequately to satisfy the needs of all water users in the state.

(b) Findings Relating to Procedural Requirements.

(1) The proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state, including the governor, who has submitted the notice and Act to the Texas Water Commission.

(2) The Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(3) All requirements of the constitution and laws of this state and the rules and procedures of the legislature

with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

(c) **Emergency.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity (1) that the constitutional rule requiring bills to be read on three days in each house be suspended and this rule is hereby suspended; and (2) that this Act take effect and be in force from and after its passage, and it is so enacted.

STATE OF TEXAS)
COUNTY OF BEXAR)

BEFORE ME, the undersigned authority:

personally appeared Sarah Torres-Corpus

to me personally known to be the Bookkeeper

OF THE EXPRESS-NEWS CORPORATION, daily newspapers published in the City of San Antonio,
in the county and state aforesaid, and being by me first duly sworn, deposes and says that the
advertisement of

LIBBY LINEBARGER

NOTICE OF INTENTION
TO INTRODUCE A BILL
PROVIDING FOR LOCAL
OR SPECIAL LAW IN THE
EDWARDS AQUIFER REGION
Notice is hereby given of the
intention to introduce a bill in
the 73rd Texas Legislature to
create a special underground
water authority which shall in-
clude in its boundaries all or
parts of Kinney, Uvalde, Bled-
so, Bexar, Comal and Hays
Counties. The authority shall be
authorized to manage the
groundwater in the Edwards
Aquifer region and to issue per-
mits for the withdrawal of such
groundwater water for the pur-
poses of water conservation
and drought management. The
intended law shall further au-
thorize the district to make and
enforce rules.
Rep. Libby Linebarger
Rep. Robert Puentes
January 12, 1993

appeared in all editions of said newspaper on the following dates:

January 22, 1993

Subscribed and sworn to this 28th day of January, 19 93



Barbara Burleson
Notary Public, State of Texas

My Commission
Expires _____

AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, the undersigned authority, on this day personally appeared Janis Davis
known to me, who, being duly sworn, on his oath deposes and says that she is the

Publisher

of the Canyon Lake Times Guardian,

a newspaper of general circulation published in Comal County; that said newspaper has been continuously and regularly published in said County for a period of more than one year; that a copy of the within foregoing notice was published in said newspaper for a period of one
day(s) before the return day named therein, such publication being on the following dates:

January 27, 1993.

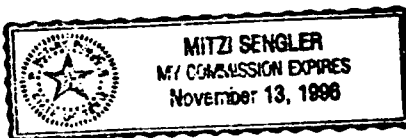
and a newspaper copy of which is hereto attached.

Signed

Sworn to and subscribed before me this, the 28th day of January 19 93

Publisher's Fees: _____

Mitzi Sengler
Notary Public, State of Texas



NOTICE OF INTENTION TO INTRODUCE A BILL PROVIDING FOR LOCAL OR SPECIAL LAW IN THE EDWARDS AQUIFER REGION

Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties. The authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such groundwater water for the purposes of water conservation and drought management. The intended law shall further authorize the district to make and enforce rules.

Libby Lieberman
(Rep. Libby Lieberman)

Robert Puente
(Rep. Robert Puente)

January 18, 1993

(Date)

AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS }
COUNTY OF COMAL

DAVID SULLENS

BEFORE ME, the undersigned authority, on this day personally appeared

known to me, who, being duly sworn, on his oath deposes and says that he is the

PUBLISHER

of the New Braunfels Herald and Zeitung.

a newspaper of general circulation published in Comal County; that said newspaper has been continuously and regularly published in said County for a period of more than one year; that a copy of the within foregoing notice was published in said newspaper for a period of ONE day(s) before the return day named therein, such publication being on the following dates:

JANUARY 26, 1993

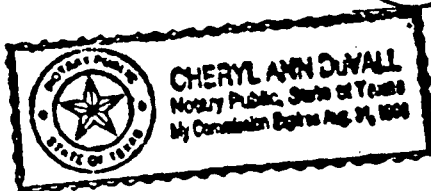
and a newspaper copy of which is hereto attached.

Signed David Sullens

Sworn to and subscribed before me this, the 2 day of FEBRUARY 1993

Cheryl Ann DuWall
Notary Public, State of Texas

Publisher's Fees \$ 30.00



Legal/Public
Notices

430

NOTICE OF INTENTION TO INTRODUCE A BILL PROVIDING FOR LOCAL OR SPECIAL LAW IN THE EDWARDS AQUIFER REGION Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties. The Authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such groundwater water for the purposes of water conservation and drought management. The intended law shall further authorize the district to make and enforce rules. Rep. Libby Linebarger and Rep. Robert Puente. Date January 18, 1993.

THE STATE OF TEXAS }
County of Hays: }

Notary Public

Before me, the undersigned, holding the office of _____ in and

for Hays County, Texas, personally appeared Guy Jimble,
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto

attached was published in the regular edition of said newspaper for a period of _____

One (1) Day on the following dates
January 1-26, 1993, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____

_____, a printed clipping of said notice being hereto attached.
The said publisher further states that the rate charged for this publication is the lowest rate charged
commercial advertisers for the same class of advertising for a like amount of space.

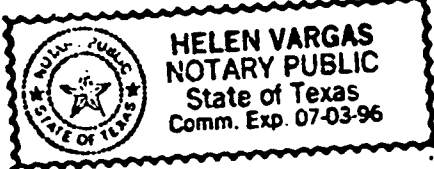
(Signed) _____

Publisher

Subscribed and sworn to before me this _____

30th day of January, 1993

Helen Vargas



NOTICE OF INTENTION TO INTRODUCE
A BILL PROVIDING FOR LOCAL
OR SPECIAL LAW IN THE
EDWARDS AQUIFER REGION

Notice is hereby given of the intention to introduce a bill in
the 73rd Texas Legislature to create a special underground
water authority which shall include in its boundaries all or
parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays
Counties. The authority shall be authorized to manage the
groundwater in the Edwards Aquifer region and to issue per-
mits for the withdrawal of such groundwater water for the
purposes of water conservation and drought management.
The intended law shall further authorize the district to make
and enforce rules.

/s/ Libby Lineberger
(Rep. Libby Lineberger)
/s/ Robert Puente
(Rep. Robert Puente)
January 18, 1993
(Date)

AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally appeared Jewel F. Robinson, of the The Brackett News, Inc., a newspaper published in the City of Brackettville, Texas, who, being by me duly sworn upon oath, deposes and says:

That said newspaper is of general circulation in the State of Texas, and that the attached Public Notice Of Intention To Introduce A Bill Providing for Local or Special Law In The Edwards Aquifer Region was Published in said newspaper in its issue(s) of

January 28, 1993

and said newspaper devotes not less than twenty-five percent (25%) of its total column lineage to items of general interest, is published not less frequently than once each week, entered as second-class postal matter in the city where it is published and has been published regularly and continuously for not less than twelve (12) months prior to the date of the publication of said Notice Of Intention To Introduce A Bill Providing For Local or Special Law In The Edwards Aquifer Region.

Jewel F. Robinson
Jewel F. Robinson/Publisher

January SWORN TO AND SUBSCRIBED BEFORE ME, this the 29th day of January, 1993.

Jorge Fuentes
Notary Public, State of Texas
My Commission Expires: 5/30/93

(Notary Seal)

**Notice Of Intention
To Introduce A Bill
Providing For Local Or
Special Law In The
Edwards Aquifer Region**

Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

The authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such ground water for the purposes of water conservation and drought management.

The intended law shall further authorize the district to make and enforce rules.

/s/Rep. Libby Linebarger

/s/Rep. Robert Puente

January 18, 1993

Hondo Anvil Herald

Hondo, Texas 78861

PUBLISHER'S AFFIDAVIT

The State of Texas)

County of Medina)

Before me, the undersigned authority, on this day did personally appear Frances Guinn, a person known to me, who on her oath stated that she is the Editor of the Hondo Anvil Herald, a newspaper published in Medina County, Texas, and which newspaper is of general circulation and has been published for more than twelve (12) months prior to the insertion of the attached notice, and that she knows the facts stated in this affidavit.

That the attached printed matter is a true and correct copy of the publication of the notice of which it purports to be a true copy, as the same appeared in such newspaper in the respective issues of:

1/28/93

That the charge of such

newspaper, being \$ 11.90

Frances Guinn
Frances Guinn, Editor

Subscribed and sworn to before me on this the 18

day of February, 1993

Cathy A. Walton
Notary Public
Medina County, Texas

**NOTICE OF INTENTION
TO INTRODUCE A BILL PROVIDING
FOR LOCAL OR SPECIAL LAW IN
THE EDWARDS AQUIFER REGION**

Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties. The authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such groundwater water for the purposes of water conservation and drought management. The intended law shall further authorize the district to make and enforce rules

Rep. Libby Linebarger
Rep. Robert Puente

Pub. Jan. 28, 1993



STATE OF TEXAS

COUNTY OF Medina

Before me, the undersigned authority, on this day personally appeared Charlie Pat DuBose, the Publisher of the Dewine News a newspaper regularly published in Medina County (Counties), Texas, and having general circulation in Atascosa, Bexar + Frio County (Counties), Texas, who being by me duly sworn, deposes and says that the foregoing attached notice was published in said newspaper on the following date(s), to wit:

January 28, 1993 Libby Linebarger

Phil: [Signature]

Subscribed and sworn to before me this the 19 day of Feb, 19 93, to certify which witness my hand and seal of office.

Fidelia Velasquez
Notary Public in and for

Medina County, Texas

Legal Notices *

✓ **Notice of Intention To
Introduce A Bill
Providing For Local or
Special Law In The
Edwards Aquifer Region**

Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties. The authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such ground-water for the purposes of water conservation and drought management. The intended law shall further authorize the district to make and enforce rules.

**Rep. Libby Linebarger, Rep.
Robert Puente, Jan. 18
Publish Jan. 28, 1993**

RECEIVED FEB 1 9 1993

**THE MEDINA VALLEY TIMES
PUBLISHER'S AFFIDAVIT**

The State of Texas)

County of Medina)

Before me, the undersigned authority, on this day did personally appear, Stella M. Besa, a person known to me, who on her oath stated that she is the Office Manager of the Medina Valley Times, a newspaper published in Medina County, Texas, and which newspaper is of general circulation and has been published for more than twelve (12) months prior to the insertion of the attached notice, and that she knows the facts stated in this affidavit.

That the attached printed matter is a true and correct copy of the publication of the notice of which is purports to be a true copy, as the same appeared in such newspaper in the respective issues of:

Jan. 28, 1993

The charge of such newspaper, being

\$ 16.00

Stella M. Besa
Stella M. Besa,
Office Manager

Subscribed and sworn to before me on
this the 10th day of Feb.
1993.

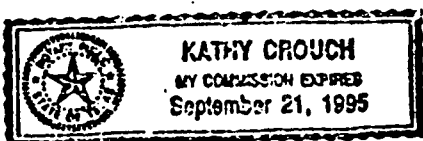
Kathy Crouch
Notary Public
Medina County, Texas

PUBLIC NOTICE

Notice is hereby given of the intention to introduce a bill in the 73rd Texas Legislature to create a special underground water authority which shall include in its boundaries all or parts of Kinney, Uvalde, Medina, Bexar, Comal and Hayes Counties. The authority shall be authorized to manage the groundwater in the Edwards Aquifer region and to issue permits for the withdrawal of such groundwater for the purpose of water conservation and drought management. The intended law shall further authorize the district to make enforce rules.

Rep. Libby Lineberger
Rep. Robert R. Riffe
Jan. 18, 1993

PN-15-c



THE STATE OF TEXAS
COUNTY OF UVALDE

Before me, the undersigned authority, on this day personally

appeared Craig Garnett known to me, who being
Publisher of the Uvalde Leader-News,

duly sworn, on his oath deposes and says, that he is the
a newspaper of general circulation, which has been continuously and regularly published for a period of not less than
one year in said County; that a copy of the within and foregoing notice was published in said newspaper for at least
~~ten days before the return day named therein~~, such publication being on the following dates:

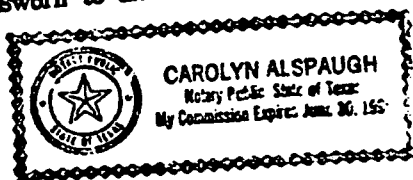
January 24,

A. D. 19 93

and a newspaper copy of which is hereto attached.

Craig Garnett
Publisher of the Uvalde Leader-News

Sworn to and subscribed before me, this 1st day of February A. D. 19 93



Carolyn Alspaugh
Notary Public in and for Uvalde Co., Texas

NOTICE OF INTENTION
TO INTRODUCE A BILL
PROVIDING FOR LOCAL
OR SPECIAL LAW IN THE
EDWARDS AQUIFER
REGION

Notice is hereby given of the
intention to introduce a bill in
the 73rd Texas Legislature to
create a special underground
water authority which shall
include in its boundaries all or
parts of Kinney, Uvalde,
Medina, Bexar, Comal and
Hays Counties. The Authority
shall be authorized to man-
age the groundwater in the
Edward Aquifer region and to
issue permits for the withdrawal
of such groundwater water
for the purposes of water con-
servation and drought man-
agement. The intended law
shall further authorize the
district to make and enforce
rules.

/s/ Libby Lineberger
Representative
/s/ Robert Puente
Representative
January 18, 1993

THE STATE OF TEXAS
COUNTY OF UVALDE

Before me, the undersigned authority, on this day personally

appeared Craig Garnett known to me, who being

duly sworn, on his oath deposes and says, that he is the Publisher of the Uvalde Leader-News, a newspaper of general circulation, which has been continuously and regularly published for a period of not less than one year in said County; that a copy of the within and foregoing notice was published in said newspaper ~~for a period of~~ publication being on the following dates:

January 21, A. D. 19 93

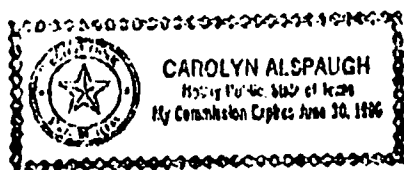
and a newspaper copy of which is hereto attached.

Craig Garnett

Publisher of the Uvalde Leader-News

Sworn to and subscribed before me, this

24th day of February A. D., 19 93



Carolyn Alspaugh
Notary Public in and for Uvalde Co., Texas

NOTICE
A BILL TO BE ENTITLED
AN ACT RELATING TO
VALIDATION OF THE
CREATION OF THE

UVALDE COUNTY
UNDERGROUND WATER
CONSERVATION DISTRICT
AND ACTIONS OF THE
DISTRICT

This is to give notice of intent to introduce in the 73rd Legislature Regular called session a bill to be entitled an Act relating to the creation of the Uvalde County Underground Water Conservation District or a bill entitled an act relating to the validation of the Uvalde County Underground Water Conservation District.

AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally appeared Jewel F. Robinson, of the The Brackett News, Inc., a newspaper published in the City of Brackettville, Texas, who, being by me duly sworn upon oath, deposes and says:

That said newspaper is of general circulation in the State of Texas, and that the attached Notice Of Local District Legislation, was published in said newspaper in its issue(s) of

January 14, 1993.

and said newspaper devotes not less than twenty-five percent (25%) of its total column lineage to items of general interest, is published not less frequently than once each week, entered as second-class postal matter in the city where it is published and has been published regularly and continuously for not less than twelve (12) months prior to the date of the publication of said Notice Of Local District Legislation.

Jewel F. Robinson
Jewel F. Robinson/Publisher

SWORN TO AND SUBSCRIBED BEFORE ME, this the 11th day of March, 1993.

Jane F. Frazier
Notary Public, State of Texas
My Commission Expires: 5-30-93

(Notary Seal)

207 09
87E 17
607 801

SENIORS/JUNIORS PARENTS

Do you need money for College?
WE CAN HELP!

Scholarships, Grants, Financial aid
is available, ACT NOW! Send for
more information today!

LISA'S COLLEGE
SCHOLARSHIP SERVICE
5527 Chantilly, Lane, Suite 108
Houston, Texas 77092-5110

HISTORY FOR SALE

History of "Post Offices and Post
Masters In Kinney County. 1851 -
1990." Price \$17.50.

See James Harber, 563-2928;
Richard Mountain, 563-9248; or
Bruce Clements, 563-2627.

Proceeds go to the Las Moras
Masonic Cemetery Fund.

issuance, it shall be returned unse-

ved.
The officer executing this writ
shall promptly serve the same ac-
cording to requirements of law, and
the mandates hereof, and make due
return as the law directs.

Issued and given under my hand
and the seal of said Court at
Brackettville Texas, this the 29 day
of December, 1992.

/s/Dolores Raney Clerk,
District Court,
Kinney County, Texas

PUBLIC NOTICE

Notice Of Local District Legislation

A bill relating to the creation, ad-
ministration, powers, duties,
operating and financing of the Kin-
ney County Underground Water
Conservation District will be in-
troduced in the 73rd legislative
session.

the PCRF, currently, RGEC has
four power suppliers, West Texas
Utilities Company (WTU), Central
Power and Light Company (CPL),
Medina Electric Cooperative, Inc.
(MEC) and El Paso Electric Com-
pany (EPEC). RGEC utilizes three
PCRFs for each of these suppliers.
Accordingly, those members located
in the area served by a particular
supplier incur a PCRF based on that
supplier's rates. As a result, mem-
bers pay different rates under the
PCRF depending on their location.

The request to blend the PCRF
would reduce the present 12 PCRFs
to a single Kwh based PCRF for the
GS-1, GS-3 and Lighting classes and
blended demand (kW) and energy
(kWh) based PCRFs for all
remaining members. This proposal
would create uniform PCRFs, not
dependent on the location of the
member or the supplier for a par-
ticular area. The blended PCRF
would not raise the revenues for
RGEC but could result in slightly
different rates for certain customers

H. B. No. 2785

By David Beut

A BILL TO BE ENTITLED

AN ACT

relating to the management of spring flow from the Edwards Aquifer and to the increase of the recharge to and the conservation of the water taken from the Edwards Aquifer located in Kinney, Uvalde, Medina, Bexar, Hays and Comal Counties, Texas.

MAR 12 1993

1. Filed with the Chief Clerk.

MAR 18 1993

2. Read first time and Referred to Committee on

NATURAL RESOURCES

3. Reported _____ favorably (as amended) and sent to Printer at _____
(as substituted)

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of _____ yeas, _____ nays, _____
present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting).

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____

9867